

**CRIMINAL DOCKET  
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<b>THE UNITED STATES</b>  <b>vs.</b>  <b>Freddy Dale Kuykendall</b>	<i>For U. S.:</i> Lawrence A. McSoud Asst. U. S. Atty. James E. Ritchie   <i>For Defendant:</i> Frank Leslie Mayo Bldg., Tulsa, Oklahoma 74103  <i>Lu 92005</i>

CLOSED

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed <i>1-31-67</i>	Clerk					
J.S. 3 mailed <i>5-2-67</i>	Marshal					
Violation T. 50 App.	Docket fee					
Title 462						
Sec.						

DATE	PROCEEDINGS
1-10-67	Indictment, filed in open Court. b
1-10-67	Record vote of the Grand Jury, filed in open Court. b
1-10-67	Appearance Bond of the defendant, in the sum of \$1,000.00, filed. b
1-17-67	Defendant present in person and represented. Defendant arraigned, receives copy of indictment, waives reading thereof, and enters a plea of NOT GUILTY, case set for Jury Trial on Monday 1-23-67 at 9:30 A.M. (AEB-J)h
1-23-67	Defendant present in person and represented by Frank Leslie. Defendant waives jury, waiver signed and filed in open court and case transferred to Judge Daugherty for non-jury trial. (AEB-J)h
2-24-67	Ordered by the Court that this case is set for non-jury trial on Monday, April 3, 1967 at 1:30 P. M. (Fred Daugherty - Judge) b
4-3-67	Case tried to the Court, arguments made, case continued until 9:30 A.M. April 11, 1967 for further arguments. (Fred Daugherty - Judge) b
4-5-67	Defendant's subpoena returned, filed - served Leroy J. Langan, Arthur L. Claus on 3-30-67, served Chester R. Brazeal on 3-31-67 all at Tulsa, Oklahoma. b

(OVER)

DATE	PROCEEDINGS
4-11-67	Further arguments held. Court finds the defendant, Freddy Dale Kuykendall GUILTY and he is adjudged GUILTY as charged. Defendant and his attorney invited to make statements and they are made by each. Judgment and Sentence - Freddy Dale Kuykendall (23) Five (5) Years. Execution of sentence is deferred until Monday, April 24, 1967 at 12:00 o'clock Noon, and that he is released on his present bond. The defendant was avised of his right to appeal; and defendant gave notice in open Court of his intention to appeal. (Fred Daugherty - Judge) b
4-11-67	Defendant's exhibits Nos. 1 and 2, introduced at further arguments on 4-11-67, filed. b (LC-CSR) b
4-11-67	Judgment and Commitment as to the defendant filed and entered. (Fred Daugherty - Judge) b
4-14-67	Defendant's motion for a new trial, filed. b
4-17-67	Brief of the defendant in support of motion for a new trial, filed. b
4-19-67	Ordered by the court that the execution of sentence is further deferred until May 1, 1967 at 12:00 O'Clock noon and the defendant is granted until such time to execute an appeal bond. (Fred Daugherty - Judge) b
4-19-67	Defendant's application to set appeal bond, filed. b
4-24-67 ✓	Ordered by the Court that the appeal bond of the defendant be an unsecured bond in the sum of \$5,000.00. (Fred Daugherty - Judge) b
4-27-67	Defendant's personal appearance bond on appeal, in the sum of \$5,000.00, filed.
5-2-67	Order filed and entered, the defendant's motion for a new trial is overruled and denied. (Fred Daugherty - Judge) Copies mailed to counsel. b
5-2-67	Notice of appeal filed by defendant. (Copy mailed U. S. Attorney)
5-4-67	Defendant's Forma Pauperis affidavit, filed. b
5-12-67	Ordered by the Court that this case is set for hearing on motion of the defendant for leave to appeal forma pauperis, on Wednesday, May 31, 1967 at 3:00 P. M. (Fred Daugherty - Judge) b
5-31-67	Ordered by the Court that the motion of the defendant for leave to appeal forma pauperis is granted, and an extension of time is granted and attorney for the defendant is directed to prepare the orders. (Fred Daugherty - Judge) b
6-13-67	Order filed, granting leave to prosecute appeal in forma pauperis, copies, original and three copies of entire record at the expense of the plaintiff. (Fred Daugherty - Judge) copies mailed counsel and reporter. b
6-23-67	Order extending time for defendant to file and docket his appeal to and including July 21, 1967, order dated May 31, 1967. (Fred Daugherty - Judge) Copies mailed to Lee Cook and Frank Leslie) b
7-18-67	Order extending time to appeal in forma pauperis, filed. (Allen E. Barrow-J)h
8-8-67	Order extending time to August 25, 1967 within which time to file and docket appeal, filed. (Fred Daugherty - Judge) b
8-21-67	Transcript of trial proceedings of 4-3-67, filed in triplicate. (R. Lee Cook)g
8-22-67	Certificate of counsel for appellant that record on appeal is complete, filed. g
8-22-67	Transcript of documents in lieu of record on appeal sent to Denver. g
10-26-67	Record on appeal forwarded to USCA, Denver. g
2-9-68	Mandate from USCA affirming judgment of 4-11-1967, filed and spread of record. Defendant directed to surrender to U. S. Marshal within ten (10) days.
2-9-68	Opinion of USCA, filed. g
2-27-68	Return on service of J&C filed. Executed by delivering defendant to U.S. Med. Center, Springfield, Mo. on 2-25-68. h

UNITED STATES COMMISSIONER

Northern DISTRICT OF Oklahoma

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE

MILAM M. EWING

(Name of commissioner)

FEDERAL BUILDING, TULSA, OKLAHOMA

(Address)

COMMISSIONER'S  
DOCKET No. 2 CASE No. 769  
THE UNITED STATES  
vs.

FREDDY DALE KUYKENDALL (23)

Complaint filed on Nov. 21, 1966, by George D. Hafner  
Official title Spec. Agt. F. B. I., charging violation of  
United States Code, Title 50 Appx Section 462, on 8-17-  
1966, at Tulsa, Okla., in the  
division of the Northern district of Oklahoma.  
as follows: Wilfully & knowingly fail & neglect  
perform a duty required of him under Universe  
Military Training & Ser. Act., etc. & failed to  
comply with an order of his local board to report  
for civilian work at University of Kansas Medical  
Center, Kansas City, Kansas. (Here insert brief summary of facts constituting offense charged)  
into armed forces of the U. S.

WARRANTS OR SUMMONS ISSUED:

Date Nov. 21, 1966 Warrant/Summons for Freddy Dale Kuykendall  
(Name of defendant)  
to (name and title of officer) To Any U.S. Marshal or Any Authorized U.S. Officer:  
Substance of return Arrested by: George D. Hafner, Spec. Agt. F. B. I.  
Date Warrant/Summons for  
to (name and title of officer)  
Substance of return

NOBLE C. HOOD

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER: Ewing.

Clerk, U. S. District Court

Date Nov. 22, 1966 Arrested by George D. Hafner,  
Spec. Agt. F. B. I. { on warrant of Milam M. Ewing,  
U. S. Commissioner. (Name of issuing officer)  
without warrant.

Appearances { for United States (Name) (Address)  
for accused (Name) (Address)

Proceedings taken Defendant presented, advised of charge filed against him,

(Here insert with dates, when appropriate, a serialim account of essential steps taken at hearing such as "complaint prepared,"  
his right to counsel and a preliminary hearing. Def't. Waived counsel for

the purpose of this hearing and signed WAIVER. Preliminary hearing also

if that is the fact; any adjournments taken, etc.  
Waived. He was advised bond fixed at \$1000.00. Defendant released on  
\$1000.00 personal bond.

Outcome Held for Court Action.

Bail fixed 11-22-66, 19 Amount, \$ 1000.00 Bonded 11-22-66, 19, by cash  
deposited by (name) Address  
transmitted to clerk of district court 19 [or] by surety  
(name) Freddy Dale Kuykendall Address 59 1/2 N. Victor, Tulsa, Oklahoma  
(name) Address, who  
justified by affidavit dated Nov. 22, 1966, [or] committed to  
on, 19

SUBPOENAS FOR WITNESSES ISSUED:

\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date\_\_\_\_\_Appearances for

{ United States (Name) \_\_\_\_\_  
(Address) \_\_\_\_\_  
Accused (Name) \_\_\_\_\_  
(Address) \_\_\_\_\_

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing\_\_\_\_\_names certified to United States Marshal for payment\_\_\_\_\_, 19\_\_\_\_  
Proceedings taken\_\_\_\_\_

Outcome\_\_\_\_\_

Bail fixed\_\_\_\_\_, 19\_\_\_\_ Amount, \$\_\_\_\_\_ Bonded\_\_\_\_\_, 19\_\_\_\_, by cash  
deposited by (name)\_\_\_\_\_ Address\_\_\_\_\_  
transmitted to clerk of district court\_\_\_\_\_, 19\_\_\_\_  
[or] by surety (names)\_\_\_\_\_ Address\_\_\_\_\_  
and\_\_\_\_\_ Address\_\_\_\_\_  
who justified by affidavit\_\_\_\_\_, 19\_\_\_\_ Committed to\_\_\_\_\_  
on\_\_\_\_\_, 19\_\_\_\_

Certified to be a correct transcript.

Made this 22, day of November, 19 66

Transmitted to Clerk of United States District Court for the Northern  
district of Oklahoma. November 22, 19 66

M. M. Ewing

United States Commissioner.

DATE

PROCEEDINGS

4-22-68 Letter of defendant to Judge Daugherty to reconsider reducing sentence,  
filed. e

4-22-68 Letter of Judge Daugherty to defendant denying reduction of sentence  
filed. e

7-27-73 Manila envelope of exhibits received from USCA. rm

DATE

PROCEEDINGS